

Urban Core Committee Concept Paper

Draft- 11/10/05

Background

In the late 1990's, Houston responded to a need for urban style development by establishing separate standards for inner loop development that would allow smaller lots, reduced set backs, shared driveways, and density limitations. Developers embraced these rules and the character of housing and commercial development in the urban area has been changing steadily.

In fact, the demand for urban living has grown in such a way that Chapter 42 no longer responds fully to the concepts being promoted by developers, planners and the public. The Planning Commission is reviewing variance requests to address the urban development concepts. These concepts include transit oriented development, pedestrian amenities, mid-rise multi family housing and mixed use developments. To implement projects with these characteristics, developers must request a number of variances from the City's development regulations.

For more than six months, the Urban Core Committee discussed possible solutions in the form of Transit Corridor Planning, Performance Standards, and the potential impacts of allowing reduced right-of-way dedications on small, inner city streets. Following are the committee's recommendations.

Recommendations

1. *Transit Corridors.* Transit Corridor Planning seeks to address urban development in a coordinated fashion that reflects different needs and desires in different locations. It recognizes the complex conditions in the central city where more coordination and forethought are required to balance market forces, development and quality of life issues, especially in those areas where dense development is occurring near established residential areas. As high-capacity transit is extended into other areas of the city and if effective policies are put in place, the market can respond with additional urban development that can be balance with the needs of nearby established neighborhoods. The proposal is based on an urban development pattern that emphasizes pedestrian access in addition to access by the automobile. Transit corridor development can achieve a rich mixture of uses in close proximity to one another because it anticipates convenient walking trips to those uses and to transit.

Transit corridor planning is intended to apply to high capacity transit corridors such as light rail and bus rapid transit routes. It is in these areas that new development pressures will be strongest.

There are three basic elements:

- ♦ Establishing planning frameworks
- ♦ Area specific modifications to regulations and ordinances
- ♦ Performance Standards

The framework, process, ordinance modifications are described more fully in Attachment A while Attachment B provides more specific details for implementing Performance Standards. ~~While the Committee embraces this concept, further discussion and testing is necessary.~~ The Planning Commission should convene The Urban Committee recommends a pilot program centered on the Main Street Corridor. This corridor will be divided into segments that reflect different areas of the corridor, i.e. residential, museum, medical and commercial. A special working group composed of the Urban Committee and representatives of all potential stakeholder groups to discuss the details and draft an ordinance allowing for Transit Corridor Planning. will develop a draft plan with recommended rules that are reflective the different segments would be developed by May 2006.

2. Performance Standards. One of the three basic elements of Transit Corridor Planning described above, the Performance Standards concept is predicated on the idea that by meeting certain established criteria, new developments minimize their impact on the surrounding area and community as a whole. The standards to be applied would vary according to the proportion of residential uses that already exist in a given area. The more residential in character a neighborhood is, the more performance standards prospective non-residential uses would have to implement.

A subcommittee of Development Impacts, Urban Core, Neighborhood Preservation and Parking was created to review the Performance Standards proposal. Whether used as a free standing ordinance or as part of the transit corridor proposal, all agreed that incompatible uses should not locate in the heart of single family residential areas; however, committee members expressed a number of concerns when considering the implications of implementing such standards in cases where incompatible uses are and have always been adjacent to one another (e.g. River Oaks Shopping Center and Highland Village) and along major thoroughfares. In these areas, increasing intensity of mix of uses may actually be encouraged. A concern is the apparent conflict between two goals: 1) encouraging mixed use, higher density urban development and 2) preserving the character of inner city single family neighborhoods.

The subcommittee recommended modifications to the Performance Standard concept so that it is applied appropriately in two very different circumstances:

1. To discourage incompatible land uses from locating in the heart of single family residential neighborhoods
2. To mitigate the impacts of expanding commercial corridors that are located appropriately along major thoroughfares at the edges of neighborhoods.

~~Little discussion is needed to establish~~ The Urban Committee recommends that the subcommittee and appropriate stakeholders further develop the performance standards addressing incompatible uses in the heart of established neighborhoods, adjacency issues and any unintended consequences that may result if such standards are implemented. A report of their recommendations will be presented to the Urban Committee. ~~The subcommittee recommends that Planning Commission propose appropriate amendments to Chapter 42 addressing this situation. On the other hand, the concept of implementing performance standards to address the issue of adjacency requires more discussion. As a result, the Committee recommends Planning Commission establish a working group comprised of all appropriate stakeholders to carefully consider the proposed standards and any unintended consequences that may result if such standards are implemented.~~

2. *Right-of-Way Dedication.* As redevelopment occurs in the City's oldest neighborhoods, the Planning Commission is regularly asked to grant variances from the Chapter 42 requirement to dedicate enough ROW on existing streets to meet the standard of 50 feet. In many cases, existing pavement is very narrow, open ditch drainage exists, and homes are set back only 10 feet from the ROW. Many ask if the city can possibly widen such streets and disrupt existing development. Without a clear policy, decisions to grant such variance requests have resulted in a patchwork right-of-way dedication.

After considerable discussion, Committee members agreed that apart from meeting basic functional needs such as garbage pick-up, emergency response, and traffic circulation, ROW serves other important functions. These include providing a location for future utility expansion, wider sidewalks in pedestrian areas, room for street trees and landscaping and to provide space for future bikeways.

To ensure that old, established neighborhoods are preserved and recognizing that not all streets need to have a 50' right-of-way, the Committee recommends that Planning Commission further define the Street Hierarchy Classification System to include local streets. Such a system could establish some neighborhood streets as more pedestrian oriented, and not requiring a 50' right of way when wider parallel streets exist. On these streets, one-way pairs might be established to allow for adequate circulation, pedestrian safety, and space for tree planting.

Final Comments

Due to the short time frame, there are other issues that need to be addressed. The Committee recommends that they continue meeting to address the following issues.

1. Routine Variances – The Planning Commission considers many variance requests over the course of a year. The type of variances should be reviewed to determine develop ordinance amendments to reduce the number of variances. Three areas that stand out are building setback lines, alley access and widening.
2. Global planning – There needs to be a more planning process assuring adequate roads and infrastructure to guide development.

3. Remainder tracts due to acquisition for street projects - The Planning Commission considers building setback variances to allow development of the property.

Appendix A
Transit Corridor Planning Table
November 10, 2005

Initial Proposal	Recommendation
<p>Who is a Qualified Applicant? A public or private, profit or non-profit entity, including a government corporation or a management district?</p> <p>What is needed to qualify an applicant?</p> <ol style="list-style-type: none"> 1. Information including date it was organized, its purpose, its membership, its management, its bylaws and its budget; 2. The boundaries of the transit corridor planning area 3. The resources available to the applicant and the time table to complete the planning process; 4. The communication process for ensuring stakeholder and community input. <p>How to approve an applicant? Considerations:</p> <ol style="list-style-type: none"> 1. Does the applicant have the capability and resources to complete the transit corridor plan in a reasonable time frame? 2. Has the applicant justified the development of a plan? 3. Is the communication process adequate to provide an opportunity for stakeholder and community participation? <p>Should the planning director approve the applicant or should the planning commission make a determination after a public hearing?</p>	<p>P&D is responsible for managing the process, assist with identifying stakeholders, assuring adequate public participation, and advise on rule modification. <u>Plans are developed base on Metro's transit plans</u></p> <p>Retaining consultants as appropriate to work with the community to develop the transit corridor plan (See "What should a transit corridor plan include"), outreach, public meetings and develop rule modification.</p> <p>Transit Corridor Plan is presented to the Planning Commission for a public hearing. At the public hearing the Planning Commission may recommend approval, approval subject to modifications or disapproval. Applications that are recommended for approval with or without modifications are forward to City Council for consideration.</p> <p><u>Add provision that allows an entity, i.e. TMC, to develop a plan or a portion of a plan</u></p>
<p>Transit corridor planning area?</p> <ol style="list-style-type: none"> 1. Length: the entire length of a street that the Metropolitan Transit Authority has identified as a route for light rail as part of its light rail plan or a portion at least one-half mile long that includes a transit station. 2. Depth: at least two blocks or 750 feet on either side of the transit street (or more subject to justification of impact) 	<p>The planning process will determine the appropriate transit corridor planning area (segments and/or nodes) that reflect the impact of transit corridor on station distances, commercial opportunity and neighborhood impact.</p>

<p>What should a transit corridor plan include?</p> <ol style="list-style-type: none"> 1. A description of the characteristics of the transit corridor, including: <ol style="list-style-type: none"> a. A map showing existing land uses; b. A description of the conditions in the transit corridor; c. A list of business activity on each parcel d. A description of any factors relevant to the transit corridor. 2. A statement of the development goals of the corridor plan. 3. A description of problems that impede development of the corridor including physical or regulatory issues; 4. A discussion of the economic development opportunities that could result from the resolution of the problems; 5. A description of how adjacent residential areas will be impacted by the corridor development and how negative affects could be mitigated. 6. A discussion of the program for active participation in the development of the transit corridor plan by property owners, business interests and residents within the area. 7. A discussion on street and sidewalk issues 	<p><u>8. A plan or map illustrating the boundaries and specific requirements.</u></p>
<p>Ordinances that could be tailored as part of a transit corridor plan?</p> <ol style="list-style-type: none"> 1. Parking: more or less parking due to rail development? 2. Landscaping: special requirements relevant to corridor? 3. Historic Preservation: special focus on local preservation requirements? 4. Hotel Motel location criteria adjustments? 5. Subdivision/Development plats? <ol style="list-style-type: none"> a. Setbacks b. Open space c. Density d. Lot size e. Residential parking f. Sidewalks g. Café's 	<p>6. Public Works and Engineering Street and infrastructure standards</p>

Appendix B

Performance Standards